

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Services – Irrigation & CAD Department – Allegations of corruption against Sri K.Adinarayana, formerly Asst. Engineer, Irrigation & CAD Department, Rajam Sub-Division, Srikakulam District and now retired - Acquittal by the orders of Hon'ble Special Judge for ACB Cases, Visakhapatnam dated 27-04-2005 in C.C.No.22/1998 - Criminal Appeal filed before the Hon'ble High Court of A.P. in Criminal Appeal No.549/2006 – Judgement delivered by the Hon'ble A.P.Administrative Tribunal, Hyderabad dated 04-03-2009 in O.A.No.3500/2006 - Regularization of suspension period from 19-11-1997 F.N. to 01-05-2001 A.N., as Duty, subject to review on the result of Criminal Appeal pending before Hon'ble High Court – Orders – Issued.

IRRIGATION & C.A.D. (IW:SERVICES-VI(1) DEPARTMENT

G.O.Rt.No. 1403 .

Dated: 19 -08-2009.

Read the following:-

1. From the Director General, Anti Corruption Bureau, Hyderabad, Letter Rc.No.122/RCT-VSK/1997-S12, dated 03-10-1997.
2. G.O.Rt.No.1332, Irrigation & CAD (Ser.VI) Department, dated 24-10-1997.
3. G.O.Ms.No.307, Irrigation & CAD (Ser.VI(1) Department, dated 02-09-1998.
4. G.O.Rt.No.412, Irrigation & CAD (Ser.VI(1) Department, dated 10-04-2001.
5. Judgement from the Hon'ble Special Judge for ACB Cases, Visakhapatnam, dated 27-04-2005 in C.C.No.22/1998.
6. Govt. Memo.No.6701/Ser.VI(1)/1998-36, dated 07-11-2005.
7. Judgement from the Hon'ble A.P.Administrative Tribunal, Hyderabad dated 04-03-2009 in O.A.No.3500/2006.
8. Govt. Memo.No.6701/Ser.VI(1)/1997-48, dated 05-05-2009.
9. From the Engineer-in-Chief (AW), Irrigation & CAD Department, Hyderabad, Letter No.Rc/ENC/SI(3)/35167/1997, dated 08-06-2009.

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ORDER:

In the reference 1st read above, the Director General, Anti Corruption Bureau, Hyderabad has informed that Sri Kuna Adinarayana, Assistant Engineer of Irrigation & CAD Department, Rajam Section, Srikakulam District was trapped on 06-09-1997 at his residence, Srikakulam when he demanded and accepted a bribe amount of Rs.2,000/- as illegal gratification from the complainant and recommended to place the Accused Officer under suspension.

2. In the reference 2nd read above, Sri K.Adinarayana, formerly Assistant Engineer was placed under suspension under Rule 8(1) of the A.P.Civil Services (Classification, Control & Appeal) Rules, 1991 until further orders.

3. In the reference 3rd read above, sanction orders were issued to prosecute the Accused Officer Sri K.Adinarayana, formerly Assistant Engineer in a competent Court of Law for the offences punishable under Prevention of Corruption Act, 1988.

4. In the reference 4th read above, orders were issued to revoke the suspension of the Accused Officer and reinstate him into service without prejudice to the prosecution case pending against him in a Court of Law.

5. In the reference 5th read above, the Special Judge for ACB Cases, Visakhapatnam in its Order dated 27-04-2005 in C.C.No.22/1998 has ordered that the accused officer was found not guilty of the charges under Sections 7 and 13 (2) read with 13(1)(d) of the Prevention of Corruption Act, 1988 and he was acquitted under Section 248(1) of Cr.P.C.

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6. In the reference 6th read above, Government have permitted the Standing Counsel of Bureau to prefer an appeal in the Hon'ble High Court of A.P., against the Judgement of the Special Judge for ACB Cases, Visakhapatnam dated 27-04-2005 in C.C.No.22/1998 acquitting Sri K.Adinarayana, Asst. Engineer, Irrigation & CAD Department, Rajam Section, Srikakulam District.

7. The Accused Officer Sri K.Adinarayana, formerly Asst. Engineer has filed an O.A.No.3500/2006 in Hon'ble A.P.Administrative Tribunal, Hyderabad. The Hon'ble A.P.Administrative Tribunal, Hyderabad in its Order dated 04-03-2009 in O.A.No.3500/2006 has directed the respondents to pass orders with respect to the treating the period of suspension in accordance with the Rules and release the pension and pensionery benefits due to the applicant within a period of 6 weeks from the date of receipt of a copy of this order vide reference 7th read above.

8. In the reference 8th read above, the Engineer-in-Chief (AW), Irrigation & CAD Department, Hyderabad was directed to implement the orders of the Hon'ble A.P.Administrative Tribunal dated 04-03-2009 in O.A.No.3500/2006, subject to review on the result of the Criminal Appeal No.549/2006 pending before the Hon'ble High Court of A.P., Hyderabad and furnish the compliance report to Government.

9. In the reference 9th read above, the Engineer-in-Chief (AW), Hyderabad has requested to regularize the suspension period of Sri K.Adinarayana, Asst. Engineer (Retd.) from 19-11-1997 F.N. to 01-05-2001 A.N., so as to enable his office to release the pensionery benefits to Sri K.Adinarayana, Asst. Engineer (Retd.).

10. Government after careful consideration of the proposal of Engineer-in-Chief (AW), Hyderabad, have decided to regularize the suspension period of Sri K.Adinarayana, Asst. Engineer (Retd.) from 19-11-1997 F.N. to 01-05-2001 A.N., as Duty under sub-rule (3) of rule 54-B of Fundamental Rules.

11. Therefore, Government hereby order that the period of suspension from 19-11-1997 F.N. to 01-05-2001 A.N., of Sri K.Adinarayana, Asst. Engineer (Retd.), formerly at Rajam Sub-Division, Srikakulam District be treated as Duty under sub-rule (3) of rule 54-B of Fundamental Rules, in view of categorical acquittal by the Court of Special Judge for ACB Cases, Visakhapatnam in C.C.No.22/1998, subject to review on the result of the Criminal Appeal No.549/2006 pending before the Hon'ble High Court of A.P., Hyderabad.

12. The Engineer-in-Chief (AW), Hyderabad shall take necessary further action in the matter.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

S.P.TUCKER
PRINCIPAL SECRETARY TO GOVERNMENT

To

Sri K.Adinarayana, Asst. Engineer (Retd.) through the Engineer-in-Chief (AW), Irrigation & CAD Department, Hyderabad.

The Engineer-in-Chief (AW), Irrigation & CAD Dept., Hyderabad.

Copy to:
SF/SCs.

//FORWARDED::BY ORDER//

SECTION OFFICER